PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, FEBRUARY 12 19 80

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS TUESDAY EVENING FEBRUARY 12 A.D., 19 80, IN REGULAR SESSION. VICE PRESIDENT JOHN NUCKOLS IN THE CHAIR, AND CHARLES W. WESTERMAN CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ: 8/1

BURNS ✓, EISBART ✓, GiaQUINTA ✓,
NUCKOLS ✓, SCHMIDT, D. ✓, SCHMIDT, V. A,
SCHOMBURG ✓, STIER ✓, TALARICO ✓,
ABSENT
COUNCILMAN, , ,
, , ,

THE INVOCATION WAS GIVEN BY

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF , 19 . MOTION MADE AND CARRIED THAT REPORT BE MADE A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR JANUARY 22, 19 80,
, 19 ,
SPECIAL JANUARY 29, 19 80,
SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

MADE A MATTER OF RECORD
DATE_____CHARLES W. WESTERMAN, CITY CLERK

January 23, 1980

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, January 23, 1980, I have approved the following ordinances passed by the Common Council at its regular meeting of January 22, 1980.

(Bill No. S-80-01-04)
SPECIAL ORDINANCE NO. S-03-80

AN ORDINANCE approving Change Orders No. 2 and 3, in connection with the Civic Center Parking Garage

(Bill No. S-80-01-09)
(AS AMENDED)
SPECIAL ORDINANCE NO. S-04-80

AN ORDINANCE OF THE CITY OF FORT WAYNE, INDIANA AUTHORIZING THE ISSUANCE AND SALE OF REVENUE BONDS AND THE LOANING OF THE PROCEEDS DERIVED THEREFROM TO WOODBRIGE APARTMENTS TO FINANCE THE COSTS OF CONSTRUCTION OF A COMMERICAL FACILITY

(Bill No. R-80-01-01)
RESOLUTION NO. R-07-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $350,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-80-01-12)
(as amended)
RESOLUTION NO. R-08-80

A Resolution approving the filing of an application with the U. S. Department

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of Housing and Urban Development for an Urban Development Action Grant for te HWI office project

(Bill No. R-80-01-13)
RESOLUTION NO. R-09-80

A Resolution authorizing payments for repairs to certain damaged vehicles owned by the City of Fort Wayne, Indiana

(Bill No. R-80-01-26)
RESOLUTION NO. R-10-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $10,000,000 Economic Development Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-80-01-31)
RESOLUTION NO. R-12-80

Regarding Frank W. Heymen letter of January 22, 1980 - Appropriate sufficent funds to cover judgment (fifteen firefighters)

(Bill No. Z-79-11-13)
ZONING MAP ORDINANCE NO. Z-04-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-2

(Bill NO Z-79-11-16)
ZONING MAP ORDINANCE NO. Z-05-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

(Bill No. Z-79-11-17)
ZONING MAP ORDINANCE NO. Z-06-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

(Bill No. Z-79-11-18)
ZONING MAP ORDINANCE NO. Z-07-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

(Bill No. Z-79-11-19)
ZONING MAP ORDINANCE NO. Z-08-80

AN ORDINANCE amending the Cityy of Fort Wayne Zoning Map No. N-46

(Bill No. Z-79-11-50)
ZONING MAP ORDINANCE NO. Z-09-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-34

(Bill No. R-80-01-19)
RESOLUTION NO. R-11-80

A Resolution approving a proposed Housing Assistance project of the Fort Wayne Housing Authority

(Bill No. S-80-01-05)
SPECIAL ORDINANCE NO. S-05-80

AN ORDINANCE approving Change Order No. - Imp. Res. No. 5831-79, Hobson-Lake Avenue

(Bill No. S-80-01-06)
(as amended)
SPECIAL ORDINANCE NO. S-06-80

AN ORDINANCE approving Change Order No. 1, Sewer Res. 304-78 - Covington-Ardmore San. Sewer

(Bill No. S-80-01-07)
SPECIAL ORDINANCE NO. S-07-80

AN ORDINANCE approving City Utilities Purchase Orders Numbered 1630 and 1631 to Hefner Chevrolet, Inc. for vehicles for Meter Reading Department and Customer Service Department

(Bill No. S-80-01-08)
SPECIAL ORDINANCE NO. S-08-80

AN ORDINANCE approving Agreement for the Purchase of a Sanitary Sewer Line by the City of Fort Wayne from Leo-Cedarville Regional Sewer District

Respectfully yours,

Winfield C. Moses, Jr.
Mayor

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 January 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on the Recodification of the City of Fort Wayne Zoning Ordinance.

The proposed ordinance is designated as:

BILL NO. G-79-12-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of January 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 January 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

The attached recodification received a DO PASS recommendation from the City Plan Commission at their meeting held January 28, 1980 with the following amendment.

Page 4. Section 3 - Definitions - Item (EE) Home Occupation

This item should read as follows:

"Any use conducted entirely within a dwelling and participated in solely by members of the family, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no commodity sold upon the premises except that which is produced thereon, and provided, however, in no event shall a Tea Room or Animal Hospital be considered as a Home Occupation."

If there are any questions with regard to this recodification of the Zoning Ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 January 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

The proposed ordinance is designated as:

Bill No. G-79-11-22

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of January 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 January 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentelmen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) utility easement vacation acted upon by the City Plan Commission at their regular meeting held December 17, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-11-22

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners.

3. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. At the present time there is a 28 foot utility easement between Lake Forest and The Knolls. This vacation along with the future request for partial vacation of an easement in The Knoll's will have an end result of a total easement of 14 feet.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

2

VACATE UTILITY EASEMENT

MAP NR. - V-18

6-79-11-82

N

DRAWN BY MEG 8/20/79

68-176-5

1/10/80

RESOLUTION 68-176-5

WHEREAS, the PROPERTY OWNERS of Lots 47 thru 60 in Lake Forest Addition have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility easement situated in Fort Wayne, Allen County, to-wit:

> The west 7 feet of a dedicated 140 foot utility easement on the eastern boundary of Lots 47 through 60 in Lake Forest Addition, Section 1 to the City of Fort Wayne, except the east-west easements intersection

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board, and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Mark L. Akers, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held January 10, 1980 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 10th DAY OF January 1980

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers, Chairman

Carl O'Neal Member

Member
Sandra E. Kennedy

R E S O L U T I O N

WHEREAS, the PROPERTY OWNERS of Lots 47 thru 60 in Lake Forest Addition have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility easement situated in Fort Wayne, Allen County, to-wit:

> The west 7 foot of a dedicated 140 foot utility easement on the eastern boundary of Lots 47 through 60 in Lake Forest Addition, Section 1 to the City of Fort Wayne, except the east-west easements intersection

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on December 10, 1979, at 3:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public utility easement.

WHEREAS, said vacation of the utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of the utility easement in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joyce Schlatter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held Decmeber 17, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 30th DAY OF January 19 80

FORT WAYNE CITY PLAN COMMISSION

Joyce Schlatter (yk)

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 January 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-79-11-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of January 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 January 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held January 28, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-79-11-15

2. From R-1 to R-3

3. Intended Use: Office for Antique Dealer

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. The use of the property as an office for off-site Antique Sales is not warranted in light of the testimony supplied at the public hearing. The present zoning does not prohibit a portion of persons residence from being used, by that resident, to perform necessary administrative functions of an off-site business. The point that must be made is that only the resident can be involved in an office of this type and in addition nothing can be sold or stored in connection with a business at this location.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten pb

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 13, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-11-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 21, 1980;

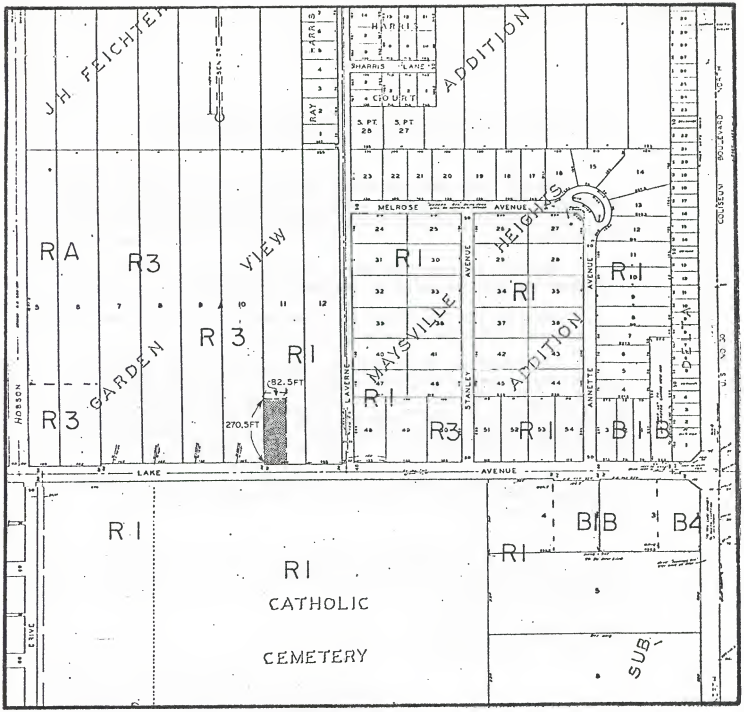
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 28, 1980.

Certified and signed this
30th day of January 1980.

Joyce Schlatter
Secretary



RECLASSIFY ZONING FROM R1 TO R3

BILL NO. Z-79-11-15

MAP NO. R-14

10-9-79

REVISED 10-19-79

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 January 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated street.

The proposed ordinance is designated as:

Bill No. G-79-11-21

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of January 1980.

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 January 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) alley vacation ordinance acted upon by the City Plan Commission at their regular meeting held December 17, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-11-21

2. Intended Use: Vacated right-of-way will be utilized by abutting property owners.

3. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The vacation of one foot of this alley will eliminate the present building encroachment and at the same time not effect the traveled portion of the alley.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

00-116-6

1/10/80

RESOLUTION 68-176-6

WHEREAS, EUGENE H. BOLING has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, to-wit:

> The south 1 foot of the east 45 feet of the east/west alley located in Block 15 Rockhill Heir's Addition, according to the recorded plat thereof

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED, by the Board of Public Works that the vacation of said public alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Mark L. Akers, Chairman of the Board of Public Works, doe hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held January 10 1980 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 10th DAY OF January 1980

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers, Chairman

Carl O'Neal, Member

Sandra E. Kennedy, Member

R E S O L U T I O N

WHEREAS, EUGENE H. BOLING has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, to-wit:

> The south 1 foot of the east 45 feet of the east/west alley located in Block 15 in Rockhill Heir's Addition, according to the recorded plat thereof

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on December 10, 1979 at 3:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

WHEREAS, said vacation of the alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part therefore for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of the alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joyce Schlatter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held December 17, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 30th DAY OF January 19 80

FORT WAYNE CITY PLAN COMMISSION

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 January 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-79-05-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of January 1980.

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 January 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held June 25, 1979. In addition to the reasons outlined in the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-05-12

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners.

3. Plan Commission Recommendation: DO PASS with condition.

   This ordinance received a DO PASS recommendation for the following reason and with the following condition.

   Reason: This right-of-way serves no public need.

   Condition: An easement must be submitted and approved by Water Pollution Control Engineering prior to this request being forwarded to City Council.

NOTE: The easement has been received and a copy of the Grant of Easement is attached to the original ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

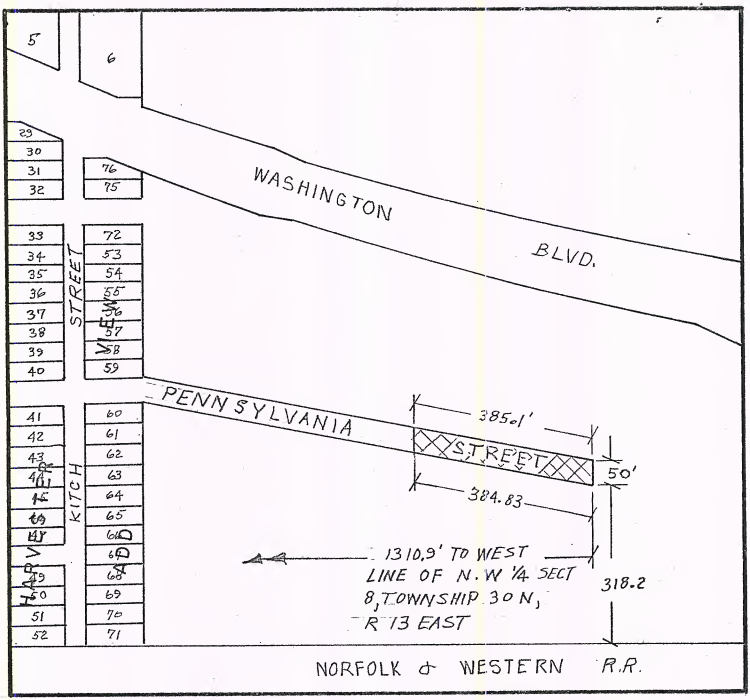
COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER



STREET TO BE VACATED

N

G-79-05-12

PREPARED BY R. K. / MAP No. R2 / 2-1-79

RESOLUTION 68-176-7 68-176-7 1/10/80

WHEREAS, CLARK VALENTINE, TRUST OFFICE FORT WAYNE NATIONAL BANK has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of a portion of a street situated in Fort Wayne, Allen County, to-wit:

Part of the Northwest Quarter, Section 8, Township 30 North, Range 13 East, Allen County, Indiana, in particular described as follows, to-wit:

Commencing at the point of intersection of the West line of said Northwest Quarter with the North right-of-way line of Wabash Railroad (now the Norfolk and Wester); thence East, on and along said North line, a distance of 1310.9 feet; thence Northerly, by an interior angle of 89 degrees -56', a distance of 318.2 feet to a point on the Southerly right-of-way line of said Pennsylvania Street, said point being the true point of beginning; thence continuing Northerly on the last described course, a distance of 50.80 feet to a point on the Northerly right-of-way line of said Pennsylvania Street; thence Northwesterly, by a deflection angle left of 79 degrees -49', on and along said Northerly right-of-way line, a distance of 385.37 feet; thence Southwesterly, by a deflection angle left of 100 degrees -47', a distance of 50.90 feet to a point on the Southerly right-of-way line of said Pennsylvania Street; thence Southeasterly, by a deflection angle left of 79 degrees - 13', on and along said Southerly right-of-way line, a distance of 384.83 feet to the true point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a portion of a public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of a public street hereinbefore described confroms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of a public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on accounty of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Mark L. Akers, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held January 10, 1980 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 10th DAY OF January 1980

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers, Chairman

Carl O'Neal, Member

Sandra E. Kennedy, Member

R E S O L U T I O N

WHEREAS, CLARK VALENTINE, TRUST OFFICER FORT WAYNE NATIONAL BANK has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of a portion of a street situated in Fort Wayne, Allen County, to-wit:

> Part of the Northwest Quarter, Section 8, Township 30 North, Range 13 East, Allen County, Indiana, in particular described as follows, to-wit:
>
> Commencing at the point of intersection of the West line of said Northwest Quarter with the North right-of-way line of Wabash Railroad (now the Norfolk and Western); thence East, on and along said North line, a distance of 1310.9 feet; thence Northerly, by an interior angle of 89 degrees -56', a distance of 318.2 feet to a point on the Southerly right-of-way line of said Pennsylvania Street, said point being the true point of beginning; thence continuing Northerly on the last described course, a distance of 50.80 feet to a point on the Northerly right-of-way line of said Pennsylvania Street; thence Northwesterly, by a deflection angle left of 79 degrees -49', on and along said Northerly right-of-way line, a distance of 385.37 feet; thence Southwesterly, by a deflection angle left of 100 degrees -47', a distance of 50.90 feet to a point on the Southerly right-of-way line of said Pennsylvania Street; thence Southeasterly, by a deflection angle left of 79 degrees -13', on and along said Southerly right-of-way line, a distance of 384.3 feet to the true point of beginning

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 18, 1979 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of the street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joyce Schlatter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 25, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 30th DAY OF January 19 80

FORT WAYNE CITY PLAN COMMISSION

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

RESOLUTION

of the

City Plan Commission

The City Plan Commission of the City of Fort Wayne does hereby approve the proposed annexation of Breconshire, Annexation Bill No. X-80-01-20 and Resolution No. R-80-01-21, and recommends that X-80-01-20 and R-80-01-21 receive a DO PASS from the Common Council of the City of Fort Wayne.

Joyce Schlatter
Secretary

Memorandum

To Members of the City Council Date 1-29-80

From Paul Norby

Subject Voluntary Annexation of Breconshire

COPIES TO:

V. Schmidt
GiaQuinta
Burns
Eisbart
Nuckols
D. Schmidt
Schomburg
Stier
Talarico
Logan
Westerman

At its January 28, 1980 business meeting the City Plan Commission recommended the passage of the Breconshire Annexation, X-80-01-20 and R-80-01-21. This is a voluntary annexation petitioned for by all of the property owners located west of the City, east of Getz Road, north of Covington Road and south of Illinois Road. It includes 47.5 acres which are currently vacant. Several stages of residential development are planned, taking several years to complete.

Annexation at this time will allow for development using city standards, thereby avoiding potential future problems for the City. City utilities will be serving the area. Furthermore, the developer intends to follow County open space requirements which surpass those of the City. A fiscal plan has been prepared as required by R-56-79. It shows that the area can be served by the City and that revenues should exceed costs.

Please inform us of any public hearings or annexation committee discussions of this matter, so that we may attend to answer your questions.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 6/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

William White by P.G.
Member, Board of Public Safety

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 6/80/E)

I hereby certify that I did this 24th day of January, 1980 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 6/80/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

William H. White

~~XXXXXXXX~~, Board of Public Safety
Member

REGULATORY RESOLUTION NO. 6/80 /E

(Adopted January 24 , 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 89/79/E: NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 24 , 1980 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective January 24 , 19 80 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

West State Blvd. -- south side -- from Tyler Ave. to the West City Limits

ALLEN COUNTY ELECTION BOARD

PHONE 423-7329
ROOM 200A, COURTHOUSE
FORT WAYNE, INDIANA
46802

February 12, 1980

FORT WAYNE, IND.
RECEIVED
FEB 12 1980
CHARLES W. WESTERMANN
CITY CLERK

Mr. Charles Westerman
City-Clerk
Room 124 City-County Building
Fort Wayne, Indiana 46802

Dear Charlie:

This letter is to advise you and the Council Members that a Certification to place the AMP Referendum on the Primary Ballot must be received by the Election Board on or before 4:30 PM on March 14, 1980 in order to be placed on the Primary Ballot.

We are advising you of this deadline so that necessary steps can be initiated if necessary.

Sincerely,

Patricia Conrad

Patricia Conrad, Secretary
Allen County Election Board

PC/lg

FORT WAYNE, IND.
RECEIVED
FEB 12 1980
CHARLES W. WESTERMANN
CITY CLERK

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMANN, CITY CLERK

RAMON S. PERRY
REPUBLICAN MEMBER

MICHAEL C. DOWNS
DEMOCRATIC MEMBER

PATRICIA CONRAD
SECRETARY

LOUANN GRIFFITHS
CHIEF DEPUTY

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its REGULAR Session, held on TUESDAY the 12th day of FEBRUARY, 1980 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____.

Charles W. Westerman
City Clerk

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JANUARY 22, 1980

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening January 22, 1980, in Regular Session. President Vivian G. Schmidt in the chair, and Charles W. Westerman Clerk, at the desk, present the following members eight viz:

Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Absent: One
Talarico

The minutes of the last Regular January 8, 1980 and Reorganization January 7, 1980 Session having been delivered to the Council, were, on motion, approved and published.

COMMUNICATION FROM THE MAYOR

January 9, 1980

MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK
DATE

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, January 9, 1980, I have approved the following ordinances passed by the Common Council at its regular meeting of January 8, 1980.

(Bill No. S-79-12-03)
SPECIAL ORDINANCE NO. S-01-80

AN ORDINANCE approving an Agreement to Purchase Real Estate from First Federal Savings & Loan Association for Neighborhood Care, Inc.

(Bill No. R-79-12-05)
RESOLUTION NO. R-01-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $5,000,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-79-12-06)
RESOLUTION NO. R-02-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $400,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-80-01-02)
RESOLUTION NO. R-03-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $3,300,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-80-01-03)
RESOLUTION NO. R-04-80

A RESOLUTION CALLING FOR WITHDRAWAL OF THOSE PORTIONS OF SENATE BILL NO. 76 DEALING WITH PROHIBITION OF CONDEMNATION ACTIONS AGAINST PUBLIC UTILITIES BY MUNICIPALITIES

(Bill No. Z-79-07-32)
ZONING MAP ORDINANCE NO. Z-01-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-11

(Bill No. Z-79-11-49)
ZONING MAP ORDINANCE NO. Z-02-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. T-18

(Bill No. Z-79-11-51)

ZONING MAP ORDINANCE NO. Z-03-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-38

(Bill No. G-79-12-14)
GENERAL ORDINANCE NO. G-01

AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1975

(Bill No. S-79-12-16)
SPECIAL ORDINANCE NO. S-02-80

AN ORDINANCE approving Change Order No. 5, Water Contract No. 77-W-2, in connection with Water Works Improvements, Filtration Plant Additions

(Bill No. R-79-11-59)
RESOLUTION NO. R-05-80

A RESOLUTION RECOMMENDING STUDY OF REMOVAL OF LIME SLUDGE AND SILT BUILD UP ADJACENT TO THE FILTRATION PLANT AND NEAR THE CONFLUENCE OF ST. MARY'S AND MAUMEE RIVER

(Bill No. R-80-01-10)
RESOLUTION NO. R-06-80

A RESOLUTION AUTHORIZING EMPLOYMENT OF FIRM FOR FEASIBILITY STUDY OF CITY OF FORT WAYNE ACQUISITION OF ELECTRIC UTILITY SYSTEM AND AUTHORIZING APPOINTMENT OF AD HOC COMMITTEE TO NEGOTIATE CONTRACT

Respectfully yours,

Winfield C. Moses, Jr.
Mayor

Made a matter of record 1-22-80

Charles W. Westerman
City Clerk

COMMUNICATION FROM FRANK W. HEYMAN, CITY CONTROLLER

January 22, 1980

To the Common Council
Fort Wayne, Indiana

Dear Mrs. Schmidt and Gentlemen:

As you are aware, in the case of Bentley et al. vs. the City of Fort Wayne, the judgement rendered by Judge Bloom has been affirmed by the Indiana Court of Appeals. The fifteen firefighters covered by the judgement are now entitled to payment of the differential in pay together with 8% interest.

The computation of the exact amount owed is now being calulated. It is my estimate that the total will be approximately $155,000. The final tabulation will be available for the hearing in Judge Bloom's court, now scheduled for Monday, January 28, 1980. At that time, a specific dollar judgement will be entered into the court record.

To prevent any unnecessary increase in the total amount owed because of continuing interest charges, it is my intention to present a check to the clerk of the courts immediately after that hearing. These funds will be drawn from the Fire Department's Salaries and Wages Budget Line (4-02-010-015-4111). Since we are in the first month of the 1980 fiscal year, there is sufficient balance to cover this expenditure.

Obviously, this expenditure from the salary line will have to be replenished by way of an additional appropriation. I will return to the Common Council at the earliest possible time to present such an appropriation ordinance.

Respectfully Submitted,

Frank W. Heyman
City Controller

Made a matter of record 1-22-80

Charles W. Westerman
City Clerk

MOTION MADE REGARDING BILL NO. G-80-01-25

A motion was made by Stier, seconded by Eisbart, to hold a Special Session on Tuesday, January 29, 1980, 7:00 P.M., Room 126, Common Council Chambers, City-County Bldg. for Bill No. G-80-01-25 - AN ORDINANCE approving a contract for feasibility study concerning acquisition, purchase and/or condemnation of presently operating Electric Utility System.

Ayes: Six
Eisbart, GiaQuinta, V. Schmidt, Schomburg, Stier
Nays: Two
Burns, D. Schmidt
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Notice was served on the nine elected Councilmembers of the City of Fort Wayne. Copy of notice served is attached to the ordinance. The notice reads as follows:

NOTICE OF A SPECIAL MEETING OF THE
COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

TO: _____

You are hereby notified that the Common Council of the City of Fort Wayne, Indiana, will hold a special meeting on Tuesday, January 29, 1980, 7:00 o'clock P.M.,E.S.T., in the Council Chambers of Fort Wayne, Indiana, in Room 126, City-County Bldg., One Main St., Fort Wayne, Indiana. Said meeting shall be held for the purpose of consideration concerning passage of Bill No. G-80-01-25 -- AN ORDINANCE approving a contract for feasibility study concerning acquisition, purchase and/or condemnation of presently operating Electric Utility System.

DATED: January 24, 1980

Charles W. Westerman
Clerk of the Common Council of the
City of Fort Wayne, Indiana

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF FORT WAYNE, INDIANA, TO BE HELD , TUESDAY, JANUARY 29, 1980 - 7:00 P.M., COMMON COUNCIL CHAMBERS ROOM 126

We, the undersigned, being members of the Common Council of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council to be held on Tuesday, January 29, 1980 at 7:00 o'clock P.M.,E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the purpose of regarding Bill No. G-80-01-25 - AN ORDINANCE approving a contract for feasibility study concerning acquisition, purchase and/or condemnation of presently operating Electric Utility System, for action and passage.

Vivian G. Schmidt

Ben A. Eisbart

Mark E. GiaQuinta

James S. Stier

John Nuckols

Roy Schomburg

DATED THIS: 22nd day of January, 1980

Charles W. Westerman
City Clerk

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 2/80/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

William H. White
Member Board of Public Safety

RETURN CERTIFICATE
(Regulatory Resolution No. 2/80/D)

I hereby certify that I did this 8th day of January, 1980 the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 2/80/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

Respectfully submitted,

William H. White
Board of Public Safety

Made a matter of record 1-22-80

Charles W. Westerman
City Clerk

REGULATORY RESOLUTION NO. 2/80/D

(Adopted January 8, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 7, 1980, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective January 8, 1980and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Howell St. --preferential-- at Rumsey Ave.

COMMUNICATION FROM THE CHAIRMAN OF PUBLIC SAFETY

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Numbers 3/80/E, 4/80/D and 5/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes

of the next Common Council Meeting.

Respectfully submitted,

William H. White
Member, Board of Public Safety

Made a matter of record 1-22-80

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 3/80/E, 4/80/D and 5/80/E)

I hereby certify that I did this 16th day of January, 1980 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 3/80/E, 4/80/D and 5/80/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

William H. White
Member, Board of Public Safety

REGULATORY RESOLUTION NO. 3/80/E

(Adopted January 16, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 11, 1980 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective January 16, 1980 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Red Haw Dr. --stop-- Cinnamon Rd.

REGULATORY RESOLUTION NO. 4/80/D

(Adopted January 16, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 11, 1980submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective January 16, 1980and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTERSECTION (DELEGATED)

Cinnamon Rd. --preferential-- at Red Haw Dr.

REGULATORY RESOLUTION NO. 5/80/E

(Adopted January 16, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to TWO HOUR PARKING 8 AM - 6 PM (EMERGENCY) AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 15, 1980 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the Office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective January 16, 1980 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TWO HOUR PARKING 8 AM - 6 PM (EMERGENCY)

Randallia Dr.	--west side--	from 150 ft. no. of Lake Ave. to Nevada Ave.

APPOINTMENTS TO THE ALLEN COUNTY ECONOMIC OPPORTUNITY COUNCIL, INC.

January 22, 1980

The following persons were appointed by Common Council to the Allen County Economic Opportunity Council, Inc.: Angela Wright, Reverend James Hall and Thomas Lembach.

DATED: 1-22-80

Charles W. Westerman
City Clerk

Made a matter of record 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-22

SPECIAL ORDINANCE NO. S-

AN ORDINANCE amending Special Ordinance No. S-130-79, fixing salaries of appointed officers, employees and deputies, etc. for the year 1980, adopted July 31, 1979

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Section 010-014 - "Police Department" of Special Ordinance No. S-130-79, fixing the salaries of appointed officers, employees and deputies, etc. for the year 1980, adopted July 31, 1979, is hereby amended as follows:

(1) By reducing the number "46" preceding the position "Sergeant" to "43"; and

(2) By adding thereto a new and additional line below "Deputy Chief" and above "Captain", as follows:

# Authorized	Position	Labor Grade	Salary
"2	Mayor	14	$18,571.00"

Section 2. That this Ordinance shal be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Nuckols, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 1-22-80 Charles W. Westerman
City Clerk

BILL NO. S-80-01-23

SPECIAL ORDINANCE NO. S-

AN ORDINANCE AUTHORIZING A SURCHARGE
ON TAXICAB FARES IN THE CITY OF
FORT WAYNE, INDIANA

WHEREAS, heretofore on the ____day of _____, 1979 by Special Ordinance No. S-31-79 the Common Council of the City of Fort Wayne, Indiana did amend Chapter 28, Section 28-30 (b) of the Code of the City of Fort Wayne authorizing an increase in taxicab fares for the City of Fort Wayne, Indiana; and,

WHEREAS, the price per gallon of gasoline to the taxicab companies operating in the City of Fort Wayne, Indiana has increased by 40 ¢ per gallon since January 1, 1979; and,

WHEREAS, due to present conditions existing in the oil and gasoline markets there may be further increases.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1.. That in addition to the fares established by taximeters pursuant to Chapter 28, Section 28-30 (b) of The Code of The City of Fort Wayne, Indiana of 1974, there shall be assigned for each trip made by a taxicab in carrying passengers for hire a surcharge of 20¢ per trip for any trip made by taxicab transporting passengers for hire.

Section 2. In the event of a further gasoline price increase in excess of 40¢ per gallon there shall be additional surcharge of 5¢ for every 10¢ per gallon of gasoline price increase.

Section 3. Before any surcharge in addition to said 40¢ surcharge shall be authorized for any taxicab company operating in the City of Fort Wayne, Indiana, there shall be presented for study to the Controller of the City of Fort Wayne for his recommendation to the Common Council of the City of Fort Wayne sufficient financial data in such form and content required by the Common Council so that proper study thereof may be made.

Section 4. No such additional surcharge or increase shall be authorized except by approval by the Common Council of the City of Fort Wayne, Indiana by ordinance duly enacted and approved by the Mayor of the City of Fort Wayne, Indiana.

Section 5. This ordinance shall be in full force and effect after its passage by the Common Council and approval by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Nuckols, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-27

SPECIAL ORDINANCE NO. S-

AN ORDINANCE approving Change Order No. 1, Street Improvement Resolution No. 5832-79, in connection with College Street Elevation repair - Hipskind Asphalt Corporation, contractor

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Change Order No. 1 in connection with Street Improvement Resolution No. 5832-79, the College Street Elevation repair project - Hipskind Asphalt Corporation, contractor, for:

replacement of curbing and sidewalk
and other related items, which had
caved in during the excavation for
a new wall and pipe railing repair
along the College Street underpass

in the amount of $5,549.00, as set out in the specification, therefor, on file in the office of the Board of Public Works and by reference incorporated herein, is hereby in all things ratified confirmed and approved.

Section 2. That this ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the first time in full and on motion by Burns, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Public Works

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-28

SPECIAL ORDINANCE NO. S-

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS (PAYLESS CASHWAYS, INC. PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Payless Cashways, Inc. Project regarding the financing of proposed economic development facilities for Payless Cashways, Inc., an Iowa corporation (the "Company") and the Fort Wayne Planning Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission has a public hearing on January 10, 1980, and also adopted a resolution on said date, which resolution has been transmitted hereto, finding that the financing of certain economic development facilities to be leased to the company complies with the purposes and provisions of I.C. 18-6-4.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens, and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Lease Agreement, Lease, Sublease, Guaranty Agreement, and Mortgage and Indenture of Trust; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Lease Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council, subleasing of the Subleased Site, as defined in the Lease Agreement) from the Company, the issuance and sale of revenue bonds, the use of the proceeds of the revenue bonds for the financing of the acquisition and construction of such facilities and the lease thereof to the Company, the payment of the revenue bonds by the Lease payments of the Company under the Lease Agreement, the guarantee of the payment of the principal and interest on the revenue bonds by the Company under the Guaranty Agreement, and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust, complies with the purposes and provisions of I.C. 18-6-4.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Lease Agreement, Lease, Sublease, Guaranty Agreement, and Mortgage and Indenture of Trust approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 18-6-4.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk,

Section 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds (Payless Cashways, Inc. Project), in the total principal amount of Three Million Dollars ($3,000,000) for the purpose of procuring funds to finance the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the

Mortgage and Indenture of Trust and Lease Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the rental payments made by the Company under the Lease Agreement or as otherwise provided in the above described Mortgage and Indenture of Trust and Guaranty Agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor and Clerk are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed 7 3/8% per annum and at a price not less that 100% of the principal amount thereof.

Section 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorzied herein. The signatures of the Mayor and Clerk may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

Section 6. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development First Mortgage Revenue Bonds (Payless Cashways, Inc. Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

Section 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Eisbart, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-29

SPECIAL ORDINANCE NO. S-

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE
TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST
MORTGAGE REVENUE BONDS, SERIES 1979
(VIRGIL C. BROCKMANN, TRUSTEE UNDER
TRUST AGREEMENT DATED JANUARY 1, 1980 AND
AS ABOITE ADAMS TRUST NO. 101)" AND
APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the Fort Wayne Economic Development Commission has rendered its Project Report for the Virgil C. Brockmann, Trustee under Trust Agreement dated January 1, 1980 and as Aboite Adams Trust No. 101 regarding the financing of proposed economic development facilities for Virgil C. Brockmann, Trustee under trust Agreement dated January 1, 1980 and as Aboite Adams Trust No. 101 and the Fort Wayne Plan Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Economic Development Commission conducted a public hearing on January 10, 1980, and also adopted a resolution on January 10, 1980, which Resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Virgil C. Brockmann, Trustee under Trust Agreement dated January 1, 1980 and as Aboite Adams Trust No. 101 complies with purposes and provisions of I.C. 18-6-4.5 and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Economic Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by the Common Council the Loan Agreement, Note, Mortgage and Indenture of Trust; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement approved by the Fort Wayne Economic Development Commission and presented to this Common Council; the issuance and sale of revenue bonds, the use of the proceeds of the revenue bonds for the acquisition and construction of such facilities; the lease of said facilities by Virgil C. Brockmann, Trustee under Trust Agreement Dated January 1, 1980 and as Aboite Adams Trust No. 101 to Kindercare Learning Center, Inc., the payment of the revenue bonds by the rent payments, the guarantee of

the payment of the principal and interest on the revenue bonds by Virgil C. Brockmann and Louis Delagrange, and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust, complies with the purposes and provisions of I.C. 18-6-4.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Lease Agreements, Guaranty Agreement, Loan Agreement, Note, Mortgage and Indenture of Trust, collateral assignment of leases approved by the Fort Wayne Economic Development Commission are hereby approved and all such documents (herein collectively referred to as the "Financing Agreement" referred to in I.C. 18-6-4.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Coucil and kept on file by the Clerk.

Section 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds, Series 1979 Virgil C. Brockmann, Trustee under Trust Agreement dated January 1, 1980 and as Aboite Adams Trust No. 101 Project), in the total principal amount of Four Hundred Thousand Dollars ($400,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities as more particularly set out in the Mortgage and Indenture of Trust and Loan Agreement incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the rent payments made by Virgil C. Brockmann, Trustee under Trust Agreement dated January 1, 1980 and as Aboite Adams Trust No. 101 under the Loan Agreement and from other revenues and income assigned under the Loan Agreement and Note or as otherwise provided in the above described Mortgage and Indenture of Trust. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

Section 4. The Mayor, Clerk, and Controller are authorized and directed to sell such bonds to the purchasers thereof at a rate of interest on the bonds not to exceed _____% per annum and at a price not less than 100% of the principal amount thereof.

Section 5. The Mayor and Clerk are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor and Clerk may be facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee named in the Mortgage and Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

Section 6. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development First

Mortgage Revenue Bonds, Series 1979 (Virgil C. Brockmann, Trustee under Trust Agreement dated January 1, 1980 and as Aboite Adams Trust No. 101 Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

Section 7. This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Eisbart, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. X-80-01-20

ANNEXATION ORDINANCE NO. X-

AN ORDINANCE annexing certain territory, commonly known as Breconshire, to Fort Wayne, and including the same in Councilmanic District No. 4

WHEREAS, the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter of Section 7, Township 30 North, Kange 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 40.0 feet East of the Southwest corner thereof; thence Easterly along the South line of the Northeast Quarter a distance of 2158.79 feet; thence Northerly, by an interior angle of 88 degrees 56', a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56' a distance of 757.2 feet; thence Southerly by an interior angle of 88 degrees 04', a distance of 40.5 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana; thence Southerely along the East line of said Pavey's Subdivision, a distance of 195.5 feet to the Northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the Northeast corner of Lot #14 of Breconshire, Section 1, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said plat of Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road, a distance of 391.3 feet to the Southwest corner of Lot #16 of said Pavey's Subdivision, said point also being the Southwest corner of Lot #30 of said plat of Breconshire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Breconshire, Section 1, a distance of 1075.3 feet to the Sotheast corner of Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #17 of said plat of Breconshire, Section 1; thence Southerly along the East line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the southeast corner of said Lot #17, thence Westerly along the South line of said Lot #17, a distance of 844.2 feet to a point; thence Southerly by an interior angle of 91 degrees 13', a distance of 162.75 feet; thence

Westerly on a line parallel to the South line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47. 56 acres more or less.

Section 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one 1) year of the effective date of annexation governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three 3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

Section 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory develped by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

Section 4. Said described territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

Section 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

Mark E. GiaQuinta
Councilman

Read the first time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Annexation and the City Plan Commission for recommendation

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. R-80-01-21

RESOLUTION NO. R-

A RESOLUTION of the Common Council setting forth the policy of the City in regard to the annexation of Breconshire

WHEREAS, the annexation of territory to the City is a legislative function; and,

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City including newly annexed areas; and,

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and,

WHEREAS, the Common Council has before it an ordinance for the annexation of Breconshire annexation area, more specifically described, to-wit:

Part of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana, described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 40.0 feet East of the Southwest corner thereof; thence Easterly along the South line of the Northeast Quarter a distance of 2158.79 feet; thence Northerly, by an interior angle of 88 degrees 56', a distance of 1187.2 feet; thence Westerly, by an interior angle of 91 degrees 56', a distance of 757.2 feet; thence Southerly by an interior angle of 88 degrees 04', a distance of 40.5 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 330 feet to the East line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County, Indiana; thence Southerly along the East line of said Pavey's Subdivision, a distance of 195.5 feet to the Northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the Northeast corner of Lot #14 of Breconshire, Section 1, being a Subdivision of part of the West Half of the Northeast Quarter of Section 7, Township 30 North, Range 12 East, Allen County Indiana appearing in Plat Record Book 43 Page 43 of the Office of the Recorder of Allen County, Indiana; thence

Westerly on and along the North line of Lot #15 of said Pavey's Subdivision, also being the North line of said Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road, a distance of 391.3 feet to the Southwest corner of Lot #16 of said Pavey's Subdivision said point also being the Southwest corner of Lot #30 of said Breconshire, Section 1; thence Easterly on and along the South line of said Lot #16 of Pavey's Subdivision, also being the South line of said plat of Breconshire, Sectional, a distance of 1075.3 feet to the Southeast corner of Lot #16 of said Pavey's Subdivision, said point also being the Southeast corner of Lot #17 of said plat of Breconshire, Section 1; thence Southerly along the East line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the Southeast corner of said Lot #17; thence Westerly along the South line of said Lot #17, a distance of 844.2 feet to a point; thence Southerly by an interior angle of 91 degrees 13', a distance of 162.75 feet; thence Westerly on a line parallel to the South line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet East of the West line of said Quarter Section, said point being on the East right-of-way line of Getz Road; thence Southerly on and along the East right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47.56 acres more or less.

BE IT THEREFORE, RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That in the case of the Breconshire annexation it is the policy of the City of Fort Wayne to follow the provisions of Common Council Resolution No. R-56-79 with regard to the provision of non-capital services to the annexation area.

2. That it is the policy of the City to follow the annexation fiscal plan for said described territory as prepared by the Department of Community Development and Planning.

3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, deleneates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan

for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.

4. Said plan is hereby approved and adopted by the Common Council and shall be in force upon the effective date of the Breconshire annexation ordinance.

Mark E. GiaQuinta
Councilman

Read the first time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Annexation and the City Plan Commission for recommendation

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. R-80-01-30

RESOLUTION NO. R-

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $5,500,000 Economic Development Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, The First National Bank of Crown Point, Trustee, under Trust No. 53-0161 (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the

Applicant for such purposes said economic development facility to be used for an office building located on the north side of Wayne Street between Clinton and Barr Street containing 240,000 net rentable sq. ft. on five floors; and

WHEREAS, Northwest Properties, Inc., Bernard Kleinman, and Dewitt P. Holland will guarantee all bond payments; and

WHEREAS, the diversification of industry and increase in new jobs (1,250 to 2,000) with an estimated annual payroll of $1,500,000 to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens, and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer, and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $5,500,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing or as it may

deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Eisbart, and duly adopted, read the second time by title and referred to the Committee on Finance

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. G-80-01-25

GENERAL ORDINANCE NO. G-

AN ORDINANCE APPROVING A CONTRACT FOR FEASIBILITY STUDY CONCERNING ACQUISITION, PURCHASE AND/OR CONDEMNATION OF PRESENTLY OPERATING ELECTRIC UTILITY SYSTEM

WHEREAS, heretofore a petition has been filed witht the Common Council pursuant to IC 8-1-2-99 et seq., requesting the Common Council of the City of Fort Wayne, Indiana to acquire, purchase and/or condemn the presently operating electric utility system in order in its place to establish, own and operate a municipally owned electric utility; and,

WHEREAS, said Common Council has heretofore received a legal opinion from the firm of Chapman and Cutler establishing the legality of said petition; and

WHEREAS, pursuant to Resolution authorizing employment of a firm for a feasiblity study concerning the City of Fort Wayne's acquisition of electric utility system, an ad hoc committee of said Common Council has chosen the firm of R.W. Beck and Associates, 6535 E. 82nd Street, Indianapolis, Indiana, 46250 to conduct said feasibility study; and

WHEREAS, R.W. Beck and Associates has submitted its proposed Agreement for engineering services which proposed Contract has been studied by said ad hoc committtee of said Common Council.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the Common Council of the City of Fort Wayne, Indiana does hereby approve a certain Agreement for engineering services submitted to the City of Fort Wayne, Indiana on January 15, 1980 by said R.W. Beck and Associates and does authorize the Mayor of the City of Fort Wayne and the Clerk of the City of Fort Wayne, Indiana to sign and deliver said Contract to R.W. Beck and Associates.

Sectioon 2. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor of the City of Fort Wayne, Indiana.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Eisbart, and duly adopted, read the second time by title and referred to the Committee on Ad Hoc Electric Utility Study and a Special Session to be held at the Council Chambers, Room 126, City-County Building, Fort Wayne, Indiana, on Tuesday, the 29thday of January, 1980, at 7:00 o'clock, P.M.,E.S.T.

DATE: 1-22-80

Charles W. Westerman
City Clerk

SEE PAGE 89 & 90 REGARDING BILL NO. G-80-01-25

BILL NO. Z-80-01-15

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. S-14, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

Lots 52 and 53 in Delta Heights Addition to the City of Fort Wayne, Indiana.

Section 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Ben A. Eisbart
Councilman

Read the first time in full and on motion by Eisbart, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. Z-80-01-16

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map I-27

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the area described as follows is hereby designated

a B-4 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. I-27, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot #107 and Lot #108 in Waynedale Gardens, Second Addition, as recorded in Plat Book #11, pages 36-37, in the office of the Recorder of Allen County, Indiana.

Section 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Ben A. Eisbart
Councilman

Read the first time in full and on motion by Eisbart, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for reco mmendation

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. Z-80-01-17

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-23

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. J-23, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot #16 and the North 10 feet of Lot #17 in William Mays Addition, according to the recorded plat thereof.

Section 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Ben A. Eisbart
Councilman

BILL NO. Z-80-01-18

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 0-19

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne Zoning Map No. 0-19, referred therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lots 20, 21, and 22 of the Second
Squires Addition to the City of
Fort Wayne, more commonly known as
5606 Lillie Avenue.

Section 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Ben A. Eisbart
Councilman

Read the first time in full and on motion by Eisbart, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations and the City Plan Commission for recommendation

Date: 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-04

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving Change Orders No. 2 and 3 in connection with the Civic Center Parking Garage have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

James S. Stier
Mark E. GiaQuinta
Ben A. Eisbart
Paul M. Burns
Donald J. Schmidt

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-04

SPECIAL ORDINANCE NO. S-03-80

AN ORDINANCE approving Change Orders No. 2 and 3, in connection with the Civic Center Parking Garage

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 in amount of $5,507.00 and Change Order No. 3 in amount of $9,135.00, to Martindale, Tourney, Gibson, Inc., Architects, Engineers & Planners, for Hagerman Construction Corporation, in connection with the Civic Center Parking Garage, for:

revision of grade elevations, both sides of all access and alley; revisions on loations of storage rooms and electrical room; and, make necessary changes to the new storm and sanitary sewer systems beyond the building lines to meet City of Fort Wayne requirements, and various technical changes,

as set out in the specifications, are hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Eisbart and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-03-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. S-80-01-09 (AS AMENDED)

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance of the City of Fort Wayne, Indiana authorizing the issuance and sale of Revenue Bonds and the loaning of the proceeds derived therefrom to Woodbridge Apartments to finance the costs of construction of a commercial facility have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

AMENDMENT MADE BY DONALD J. SCHMIDT:

To accept the attached letter with the ordinance and also make it a matter of record.

Ayes: Seven
Burns, Eisbart, Nuckols, D. Schmidt, V. Schmidt, Schmoburg, Stier
Nays: One
GiaQuinta
Absent: One
Talarico

Ben A. Eisbart
James S. Stier
Paul M. Burns
Donald J. Schmidt

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-09 (AS AMENDED)

SPECIAL ORDINANCE NO. S-04-80

AN ORDINANCE OF THE CITY OF FORT WAYNE, INDIANA AUTHORIZING THE ISSUANCE AND SALE OF REVENUE BONDS AND THE LOANING OF THE PROCEEDS DERIVED THEREFROM TO WOODBRIDGE APARTMENTS TO FINANCE THE COSTS OF CONSTRUCTION OF A COMMERCIAL FACILITY

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of I.C. 18-6-4.5-1 through 18-6-4.5-29, inclusive, as amended hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make direct loans to users for the acquisition and construction of economic development facilities to promote the general welfare of the area in and near the City to issue its economic development revenue bonds to pay all costs of acquisition or construction of economic development facilities, including engineering, legal fees, and all other expenses relating thereto during construction, including the costs of issuing the bonds, and to secure said bonds pursuant to a Loan Agreement dated as of January 1, 1980, by and between the City and the User (the"Loan Agreement") and an Indenture of Trust dated as of January 1, 1980 by and between the City and a trustee to be named later (the "Indenture"); and

WHEREAS, Woodbridge Apartments the "User") is a limited partnership organized and existing under the laws of the State of Indiana, with its principal office located in Indianapolis, Indiana, and duly qualified to conduct business in the State of Indiana; and

WHEREAS, the User has agreed to acquire and construct economic development facilities for residential use within the limits of the City in the State of Indiana and thereby promote the general economic welfare of the area in and near the City and provide diversification of housing in and near the area of the City and make payments pursuant to the Loan Agreement evidencing its loan obligations in an amount or amounts sufficient to pay the principal of and interest on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore, by Ordinance and pursuant to I.C. 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission (the "Commission"); and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that, because of existing insufficient sites developed for residential use, the conomic welfare of the City would be benefited by financing the acquisition of economic development facilities for residential use for and on behalf of the User; and

WHEREAS, the Commission has, by such resolution, approved a report and has submitted such report to the Plan Commission of Fort Wayne, Indiana, and, if required by the Act, to the Superintendent of the school corporation where the facilities will be located; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution

finding the proposed financing complies with the purposes and provisions of the Act, approving the financing and approving the form and terms of the Bonds proposed to be issued by the City for the purpose of funding a loan form the City to finance the cost of acquisition of such facilities, the Loan Agreement and Indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

WHEREAS, pursuant to the Act, this Common Council has adopted a resolution finding that the proposed financing of the acquisition of such economic development facilities for residential by the User will be of benefit to the general welfar of the City and the County of Allen, approving the proposed financing and authorizing the issuance by the City of $3,905,000 principal amount of Construction Loa Revenue Bonds (Woodbridge Apartments Project-FHA Insured Advances) (the "Bonds") payable solely from the sources, having such terms and provisions and secured as provided by the Indenture and the Loan Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, interests in real estate, other improvements thereon and other machinery and equipment, to be acquired and constructed with the proceeds of the Bonds herein authorized are "economic development facilities" a that phrase is used in the Act and that acquisition and construction of the Project will increase the number of sites developed for residential use in and near the City, will improve and promote the economic stability, development and the general welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new economic development facilites in such area.

Section 2. Findings. The Common Council hereby finds that this Ordinance (the "Bond Ordinance") is of public benefit to the general welfare of the City by tending to overcome the deficiencies previously found to exist, to-wit: insufficient housing facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act) which will be required by the Project and further that the proposed financing will be of benefit to the welfare of the City and complies with the purposes and provisions of the Act.

Section 3. Authoriziation of $3,905,000 Economic Development Revenue Bonds. In order to pay the cost of acquiring the constructing the Project, there are hereby authorized to be issued, sold and delivered $3,905,000 aggregate principal amount of the Bonds maturing July 1, 1982, and bearing interest at the rate of 8-1/2% per annum. It is hereby recognized that, pursuant to the terms of the Loan Agreement, any balance of the cost of the Project will be paid for by the User.

Section 4. Definitions. In addition to the words and terms defined in

this Bond Ordinance, the words and terms used in this Bond Ordinance shall have the meanings set forth in the Indenture and Loan Agreement unless the context or use indicates another or different meaning or intent and the form of the Bonds and the forms of the Loan Agreement and Indenture, which forms are before the meeting, are hereby incorporated by reference in this Bond Ordinance and the Clerk is hereby directed to insert them into the minutes of the Common Council and to keep them on file.

Section 5. Terms of the Bonds The total principal amount of the Bonds that may be issued is hereby expressly limited to $3,905,000, provided, however, that the Mayor, upon advice of counsel, may direct that less than such total principal amount be issued. The terms of the Bonds will be such as are set forth in the Indenture and particularly as set forth in Articles II and III of the Indenture, and such terms are adopted herein by reference and by approval of the indenture.

The Bonds are limited obligations of the City, payable solely from payments of principal and interest made by the User pursuant to the Loan Agreement, or proceeds from the Government National Mortgage Association ("GNMA") Commitment Contract with respect to the Project by and between GNMA and Mount Vernon Sales and Mortgage Corporation, except to the extent that the principal of and interest on the Bonds may be paid out of money attributable to Bond proceeds or, from temporary investments, or from other moneys, if any, accruing to the Trustee for the benefit of the bondholders. The Loan Agreement shall equally and ratably secure all outstanding Bonds, and payments by the User shall be used by the Trustee to make like payment of principal of or interest on the Bonds.

By the Indenture, the City will assign to the Trustee the City's rights under the Loan Agreement, including the right of the City to receive payments thereunder, all as security for the payment of the Bonds. The Bonds will be secured as provided in the Indenture and the terms of said instrument are adopted herein by reference and by approval of the instrument.

The Loan Agreement, Note and Mortgage from the User to the City, and documents executed thereunder, will constitute the sole security for the Bonds. The Bonds and the interest thereon shall be a valid claim of the respective holders only against the Bond Fund created under the Indenture and other moneys held by the Trustee. The City will have no ownership interest in the Project.

The Bonds do not and shall never constitute an indebtedness of, or a charge against the general credit or taxing power of, the City.

Section 6. Authorization of Bonds. That there is hereby authorized and directed the following:

(a) The execution, issuance, sale and delivery of $3,905,000

Construction Loan Revenue Bonds (Woodbridge Apartments Project--FHA Insured Advances) series 1980, of the City of Fort Wayne, Indiana, dated January 1, 1980, for the purposes expressed herein, having substantially the form, details and specifications set out in the Indenture, which Bonds and appurtenant coupons, if any, shall not constitute nor give rise to the pecuniary liability of the City or a charge against the general credit or taxing powers of the City.

(b) The execution of the Bond Purchase Agreement providing for the purchase and sale of the Bonds.

Section 7. Indenture. That for the purpose of further securing the Bonds and to provide the details thereof and to prescribe the terms and conditions upon which the Bonds are to be secured, executed, authenticated, accepted and held, the Indenture in substantially the form attached hereto as Exhibit A and containing substantially the terms and provisions set forth therein is hereby authorized to be executed, attested, sealed and delivered on behalf of the City by its Mayor (the"Mayor") and the City Clerk (the "Clerk"), with such changes, modifications, additions and deletions therein as shall seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes, modifications, additions or deletions therein from the form of the Indenture now before this meeting, and said officials are hereby authorized and directed to cause said Indenture to be accepted, executed and acknowledged by the Trustee thereunder. Said Indenture shall constitute and is hereby made a part of this authorizing bond ordinance.

Section 8. Loan Agreement. That the Mayor and the Clerk are hereby authorized and directed to execute, attest, seal and deliver the Loan Agreement in substanitally the form attached hereto as Exhibit B, and containing substantially the terms and provisions set forth therein, with such changes, modifications, additions and deletions therein as shall seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes and modifications additions or deletions therein from the form of the Loan Agreement now before this meeting.

Section 9. Bond Purchase Agreement. That the sale of the Bonds to the Underwriter pursuant to the Bond Purchase Agreement, in substanitally the form attached hereto as Exhibit C and containing substanitally the terms and provisions set forth therein, is hereby authorized, approved and confirmed, and the Mayor and the Clerk are hereby authorized and directed to execute, attest, seal and deliver said Bond Purchase Agreement, with such changes, modifications, additions and deletions therein as shall seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all changes and modifications, additions or deletions therein from the form of the

Bond Purchase Agreement now before this meeting.

Section 10. Inducement Letter. That the Mayor is hereby authorized and directed to accept the Inducement Letter in substantially the form attached hereto as Exhibit D and containing substantially the terms and provisions set forth therein for and on behalf of the City by execution thereof with such changes, modifications, additions or deletions therein as shall seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his approval of any and all changes, modifications, additions or deletions therein from the form and content of the Inducement Letter now before this meeting.

Section 11. General Partner's Security Agreement. That the Mayor is hereby authorized and directed to accept the General Partner's Security Agreement in substantially the form attached hereto as Exhibit E and containing substantially the terms and provisions set forth therein for and on behalf of the City by execution thereof with such changes, modifications, additions or deletions therein as shall seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of his approval of any and all changes, modifications additions or deletion therein from the form and content of the General Partner's Security Agreement now before this meeting.

Section 12. Official Statement. That the use of a Preliminary Official Statement, insubstantially the form attached hereto as Exhibit F, relating in part to the Bonds, be and the same is hereby authorized a final Official Statement with such changes, modifications, additions or deletions therein as shall seem necessary, desirable or appropriate, the Mayor's execution thereof to constitute conclusive evidence of his approval of any and all changes, modifications, additions or deletions therein from the form and content from the Preliminary Official Statement now before this meeting, and the Mayor is authorized to execute said final Official Statement.

Section 13. Additional Documents. That the Mayor and the Clerk are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary in order to effect the issuance and sale of said Bonds and the execution and delivery of said Agreement, Indenture and Bond Purchase Agreement and to carry out the intent and purposes of this ordinance.

Section 14. Severability. That the provisions of this ordinance are hereby declared to be separable and if any section, phrase or provisions (including the Exhibits hereto, which are made a part hereof and incorporated herein by reference) shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions. The Exhibits herein referenced and made a part hereof are on file in the office of the Clerk in Fort Wayne, Indiana, and are available for inspection by any interested party.

Section 15. Conflicting Ordinances. That all Ordinances and parts

thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 16. Recordation. That immediately after its adoption this ordinance shall be signed by the Mayor and the Clerk, shall be recorded in a book kept for that purpose and shall take immediate effect.

Section 17. Effective Date This Bond Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Eisbart, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: One
GiaQuinta
Absent: One
Talarico

Date: 1-22-80 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-04-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman Vivian G. Schmidt
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

THE ATTACHED LETTER TO BILL NO. S-80-01-08 (AS AMENDED) READS AS FOLLOWS:

Fort Wayne Economic
Development Commission
2120 Fort Wayne Bank Bldg.
Fort Wayne, Indiana 46802

Common Council
City-County Bldg.
One Main Street
Fort Wayne, Indiana 46802

RE: Policy Statement for Approving Revenue Bond Issues for Apartment Financing

Dear Councilperson:

In accordance with your request, the Economic Development Commission has formulated a policy on the financing of apartment complexes. The policy statement is enclosed herewith.

Very truly yours,

Wayne P. Simerman, President
Fort Wayne Economic
Development Commission

/js
Enclosure

POLICY STATEMENT

ECONOMIC DEVELOPMENT COMMISSION POLICY
FOR APPROVING REVENUE BOND ISSUES FOR
APARTMENT FINANCING

WHEREAS, The Commission has been advised by a written communication from the law firm of Ice, Miller, Donadio, and Ryan that Indiana Statutes permit the issuance of revenue bonds for financing aprtment complexes.

WHEREAS, the Commission has heretofore declined to approve bonds for apartment complexes.

WHEREAS, the Commission has determined that the economic development of the community will be enhanced if prospective employers can see that housing for new employees is available at reasonable rates.

WHEREAS, employment is created by the construction of apartment complexes.

NOW THEREFORE, in consideration of the foregoing, the Economic Development Commission of Fort Wayne, Indiana, hereby:

RESOLVES that it will approve the issuance of revenue bonds for financing apartment complexes under the following circumstances:

1. That the security behind the bonds is of a sufficient nature that in all likelihood the bonds will not go into default.

2. That employments opportunities will be effected both during and after construction.

3. That there will be an increase in the tax base in the community.

4. That there will not be an adverse competitive effect.

5. Interim financing not to exceed 2.5 years

BILL NO. R-80-01-01

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance finding, determining and ratifying an inducement resolution of Fort Wayne Economic Development Commission authorizing the issuance and sale of $350,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

James S. Stier
Mark E. GiaQuinta
Ben A. Eisbart
Paul M. Burns
Donald J. Schmidt

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. R-80-01-01

RESOLUTION NO. R-07-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $350,000 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, HAM, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it propose that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be used for leasing facilities, located at the corner of Illinois and Thomas Roads, Fort Wayne, Allen County, Indiana, on one and one-quarter acres; the "Project"); and

WHEREAS, HAM, Inc. will guarantee all bond payments; and

WHEREAS, the diversification of industry and increase in 2 job opportunities with an estimated annual payroll of $_____ to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic

Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines,ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $350,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Eisbart and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-07-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

REGARDING BILL NO. R-80-01-12 (AS AMENDED)

A MOTION WAS MADE BY NUCKOLS THAT THE FOLLOWING LETTERS BE INSERTED IN THE COMMON COUNCIL PROCEEDINGS AND BE REFERRED TO WITH THE ORDINANCE.

HARDWARE WHOLESALERS, Inc.
P.O. Box 858 Nelson Road • FORT WAYNE INDIANA 46801 • Phone 219/749-8531

November 20, 1975

Bone Personnel Inc.
2008 Fort Wayne National Bank Bldg.
Fort Wayne, Indiana

Ms./ Msrs:

Hardware Wholesalers, Inc. is concerned that it fulfill its role as an equal opportunity employer. We request your vigorous support in our affirmative action efforts as it relates to providing employment opportunity for minority groups and women. We do not discriminate against any employee or applicant for employment because of age, race, sex, creed, color or national origin.

Utilization of any agency is predicated upon their full compliance with our equal employment opportunity policy. We request that qualified women and minorities be referred to us for any job opening listed with your agency. We also request that qualified males be referred for traditionally "female" jobs.

Please acknowledge your support of our commitment by signing a copy of this letter and returning it to us.

Sincerely,

M. J. McClelland

Michael McClelland
Personnel Administrator

MM/hs

HWS
The Friendly Ones®

HARDWARE WHOLESALERS, Inc.
P.O. Box 368 Nelson Road • FORT WAYNE INDIANA 46801 • Phone 219/749-8531

January , 1980

Gentlemen:

At your meeting on January 18 you inquired about our minority employment population and I gave you an unresearched answer to a question I had not expected since I thought you would be interested in future policies as a result of our relocation into the city.

All I said about our continuing policy against discrimination and our insistence that employment agencies with whom we work also be committed to equal opportunity was absolutely true and can be documented, I did not, however, have statistics available to support the indicated ratio of 8%.

We do have 62% women employees, but upon reasearch as requested we have determined our ratio of minority population employees during 1979 to our present total staff is 5% which includes a few persons employed under an independent contracting status.

It should be noted that all non-exempt positions in the past five years have been listed with the Indiana Employment Commission in an effort to solicit minority candidates and unemployed candidates. In addition we have in the past communicated openings with the Fort Wayne Urban League and the Fort Wayne Metropolitan Human Commission.

Attached please find copies of letters that were sent to all private employment agencies and the Indiana Employment Commission clarifying our commitment to equality in employment opportunity.

Also attached is a copy of our Equal Employment Policy Statement which is a part of our Employee Handbook.

We expect that the location of our new office will certainly contribute to an increase in our minority population ratio.

Sincerely,

Michael McClelland

Michael McClelland
Director of Personnel

MM/hs

GENERAL INFORMATION

HWI PHILOSOPHY:

SERVE OTHERS AS YOU WOULD LIKE TO BE SERVED.

Equal Employment Opportunity

It is the policy of Hardware Wholesalers, Incorporated to grant equal employment opportunity to all qualified persons without regard to race, color, sex, religious or national origin, age or physical handicap. It is the interest and desire of the Company that equal employment opportunity will be provided in employment, promotion, wages, benefits, and all other priviledges, terms and conditions of employment.

Probationary Period

The probationary period for a new employee is sixty days. During this period, the employee has an opportunity to demonstrate proper attitudes and abilities for the position for which employed. He may be dismissed without prior notice or obligation during this period. Upon satisfactory completion of the probationary period, he is given permanent status and granted group insurance and buying privileges.

Promotion Policy

HWI believes strongly in promoting from within. Promotions are made on the basis of performance, ability to do the present assignment and capacity for growth in the new one.

A vitally important factor in the number of opportunities for advancement is in the success and growth of the Company.

Safety

HWI's greatest assets are its employees; therefore, their safety is of the utmost importance. If you observe an unsafe condition it is your responsibility to notify your supervisor immediately. Each employee is given an "HWI SAFETY BOOKLET" at the time of hire. This booklet explains employees obligations with regard to safety, claim filing and building evacuation. Extra copies are available in Personnel Dept. or warehouse office.

Accidents

All accidents, no matter how slight, must be reported immediately to Department Manager. It is your responsibility to complete an injury report at the time of the injury. Insurance may be disallowed if not reported immediately on each accident. (Your supervisor can prepare the form for you if necessary).

Work Week

The regular work week for payroll purposes, for all employees, starts at 12:01 A.M., Sunday.

BILL NO. R-80-01-12 (as amended)

RESOLUTION NO. R-08-80

A RESOLUTION approving the filing of an application with the U. S. Department of Housing and Urban Development for an Urban Development Action Grant for the HWI office project

WHEREAS, the Housing and Community Development Act of 1977 authorizes the making of grants of federal funds to eligible units of local government for the purpose of carrying out urban development action projects; and

WHEREAS, the City of Fort Wayne is eligible to apply for such urban development action grants by virtue of certain conditions of distress; and

WHEREAS, the Common Council of the City of Fort Wayne deems it to be necessary and in the public interest to seek federal grant funds to help alleviate the conditions of distress that affect the city; and

WHEREAS, the Fort Wayne Redevelopment Commission, working with a local private industry, has proposed a project that appears to be suitable for an urban development action grant; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the proposed application for an Urban Development Action Grant dated Janaury 31, 1980, entitled HWI Office Project is hereby approved.

Section 2. That the Mayor, as the Chief Executive, acting for and on behalf of the City, is hereby authorized and directed as follows:

a. To file said application with the U. S. Department of Housing and Urban Development in accordance with the Department's regulations, on or prior to January 31, 1980.

b. To serve as the authorized representative of the City of Fort Wayne in connection with the application and to provide HUD with such additional information, documentation, understandings, or assurances as may be required.

c. To execute such other documents as may be required, to execute a contract for financial assistance if such contract is offered; and to execute any amendments, recisions and revisions thereto.

d. The Mayor may delegate any or all of the foregoing duties to any subordinate officer, board of commission directly responsible to him, as he deems necessary or appropriate; provided that such designee shall function only in the Mayor's name and no contract, agreement or arrangement negotiated by him shall be binding upon the City unless approved by the City Attorney as to form and legality, signed by the Mayor and, if it involves financial commitments by the City, ratified by the Common Council.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-08-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. R-80-01-13

RESOLUTION NO. R-09-80

A RESOLUTION authorizing payments for repairs to certain damaged vehicles owned by the City of Fort Wayne, Indiana

WHEREAS, (1) the following city vehicles were damaged in accidents, and (2) insurance monies in reimbursement for such damages have been received and receipted by the City Controller in the amounts hereafter listed, and (3)repair bids received from the following companies in the amount of such insurance damage payments as hereafter set out, respectively, to-wit:

	Vehicle	Ins. Payment	Repair Agency
1)	Police Dept. unit No. 17 1979 Chrysler License Plate #MO11117	$551.58	Tomkinson Chrysler-Plymouth, Inc.
2)	Police Dept. unit No. 4 1978 Ford License Plate #MO11104	80.20	Tomkinson Chrysler-Plymouth, Inc.
3)	Police Dept. unit No. 41 1978 Ford License Plate #MO11141	80.65	Tomkinson Chrysler-Plymouth, Inc.
	Total	$712.43	

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the City Controller is hereby authorized to pay the above amounts to the above named agency for vehicle repair work as set out above, respectively.

Section 2. That this Resolution shall be effective upon passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-09-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. R-80-01-26

RESOLUTION NO. R-10-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $10,000,000 Economic Development Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities either directly or by loan to a company and said facilities to be either directly owned by a company or leased to a company or sold to a company; and

WHEREAS, Hardware Wholesalers, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer acquire, construct and equip an economic development facility and sell or lease the same to the Applicant or that the Issuer loan the proceeds of such a financing to the Applicant for such purposes said economic development facility to be used for a national office headquarters building for Hardware Wholesalers, Inc., located at 5500 East State Boulevard, Fort Wayne, Allen County, Indiana; (the "Project"); and

WHEREAS, Hardware Wholesalers, Inc. will guarantee all bond payments; and

WHEREAS, the diversification of industry and increase in new jobs 287 with an estimated annual payroll of $4,000,000 to be achieved by the acquisition, construction and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in or about Fort Wayne, Indiana;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Fort Wayne:

1. The Common Council finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Fort Wayne, Indiana and in Allen County, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that Fort Wayne Economic Development Commission and said Issuer take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Issuer.

2. The Common Council further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds in an amount not to exceed $10,000,000 of the Issuer under the Act for the acquisition, construction and

equipping of the Project and the sale or leasing of the Project to the Applicant or the loaning of the proceeds of such a financing to the Applicant for such purposes will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Common Council hereby finds, determines, ratfities and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Eisbart, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Abstained: One
GiaQuinta
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-10-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. R-80-01-31

RESOLUTION NO. R-12-80

Be it resolved by the Common Council of the City of Fort Wayne, Indiana, that the recommendation of the City Controller, Frank W. Heyman contained in his letter of January 22, 1980, to the Common Council of the City of Fort Wayne, Indiana a copy of which letter is attached hereto be concurred in by the said Common Council and that the said Common Council by appropriate ordinance as soon as practicable appropriate sufficient funds to cover the judgment herein referred to.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Eisbart and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Eisbart, GiaQuinta, Nuckols, V. Schmidt, Schomburg, Stier
Nays: None
Abstained: One
D. Schmidt
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-12-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. Z-79-11-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. I-2 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Ben A. Eisbart
James S. Stier
Samuel J. Talarico
Donald J. Schmidt

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. Z-79-11-13

ZONING MAP ORDINANCE NO. Z-04-80

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. I-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. I-2, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot #522, except the West 20 feet, together with Lot #523, Lot #524, Lot #525, Lot #526, Lot #527, Lot #528, and Lot #529, together with the South Half of the vacated alley lying North of adjacent to Lot #522, except the West 20 feet, together with Lot #523 through Lot #529, in Commercial Third Addition, together with the South 6 feet of the vacated alley and the North 29 feet of vacated Graeter Street

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Eisbart, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One Talarico
Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,

Indiana as Zoning Map Ordinance No. Z-04-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman — Vivian G. Schmidt
City Clerk — Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. Z-79-11-16

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. N-46 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Ben A. Eisbart
James S. Stier
Samuel J. Talarico
Donald J. Schmidt

Concurred in 1-22-80 — Charles W. Westerman
City Clerk

BILL NO. Z-79-11-16

ZONING MAP ORDINANCE NO. Z-05-80

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-46

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 district under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N-46, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Part of the SW 1/4, Section 12, Township 31 North, Range 12 East, in Allen County, Indiana, more particularly described as follows: Commencing at the SW corner of said quarter section; thence North 00° 14' West (bearing from Deed #72-12609) along the West line of said Section 12, 235 feet to a point; thence S 89° 35' East parallel to the South Line of Section 12, 48.1 feet to the Point of Beginning; thence continuing South 89° 35' East 256.9 feet to a pin found; thence South 00° 14' East parallel to the west line of said Section 12, 195 feet to a pin found, being on the North r/w line of Cook Road; thence N 89° 35' West parallel to the South Line of said Section 12 and on or along the North r/w line of Cook Road, 224.55 feet to a pin found; thence North 34° 48' 25" West, 57 feet to a pin found; thence North 00° 14' West parallel to the West Line of said Section 12 on or along the East r/w line of State Road 327, 148.43 feet to the Point of Beginning; containing 1.13 acres more or less and subject to easements of record. This parcel is one in the same as parcel described in Instrument I-5365 in the Office of the Allen County Recorder.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Eisbart, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-05-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman Vivian G. Schmidt
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. Z-79-11-17

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. N-46 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Ben A. Eisbart
James S. Stier
Samuel J. Talarico
Donald J. Schmidt

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. Z-79-11-17

ZONING MAP ORDINANCE NO. Z-06-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N-46, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Part of the SW 1/4 of Section 12, T 31 N, Range 12 E, Allen County, Indiana, being more particularly described as follows:
Commencing at the SW corner of said SW 1/4; thence east, on and along the south line of said SW 1/4, being also the centerline of Cook Road, a distance of 505.00'; thence northerly, by a deflection angle left of 89 degrees - 56' and parallel to the west line of said SW 1/4, a distance of 40.0' to a point on the northerly r/w line of Cook Road, said point being the true point of beginning; thence continuing northerly on the last described course, a distance of 195.0'; thence east and parallel to said south line of said SW 1/4, a distance of 100.0'; thence southerly and parallel to said west line, a distance of 195.0' to a point on said northerly r/w line; thence west and parallel to said south line, on and along said northerly r/w line, being a line

parallel to & 40.0' (measured at right angles) north of the south line of said SW 1/4, a distance of 100.0' to the true point of beginning, containing 0.448 acres of land, subject to all easements of record.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Eisbart, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-06-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. Z-79-11-18

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. N-46 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Ben A. Eisbart
James S. Stier
Samuel J. Talarico
Donald J. Schmidt

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. Z-79-11-18

ZONING MAP ORDINANCE NO. Z-07-80

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-46

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N-46, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Part of the SW 1/4 of Section 12, T 31 N, R 12 E, in Allen County, IN in particular described as follows:
Commencing on the S line of said 1/4 Section at a point situated 405' E of the SW corner thereof, thence running E on the line aforesaid, a distance of 100': thence N and parallel to the W line of said 1/4 section, a distance of 235'; thence W and parallel to the S line of said 1/4 section, a distance of 100'; thence S to the place of beginning; containing 0.54 acre of land.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Eisbart, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-07-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman Vivian G. Schmidt
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. Z-79-11-19

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. N-46 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Ben A. Eisbart
James S. Stier
Samuel J. Talarico
Donald J. Schmidt

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. Z-79-11-19

ZONING MAP ORDINANCE NO. Z-08-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. N-46, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Part of the SW 1/4 of Section 12, T 31 N, Range 12 E, in Allen County, Indiana, in particular described as follows:
Commencing on the South line of said 1/4 Section at a point situated 305' east of the SW corner thereof; thence running E on the line aforesaid, a distance of 100'; thence N and parallel to the west line of said 1/4 section, a distance of 235 feet; thence west and parallel to the South line of said 1/4 section, a distance of 100'; thence south to the place of beginning.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Eisbart, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One Talarico
Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-08-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. Z-79-11-50

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. J-34 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Ben A. Eisbart
James S. Stier
Samuel J. Talarico
Donald J. Schmidt

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. Z-79-11-50

ZONING MAP ORDINANCE NO. Z-09-80

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-34

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. J-34, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

That part of the Northwest Quarter of Section 22 in Township 31 North of Range 12 East in Allen County, State of Indiana, containing 51.5 acres, more or less, lying North of the North right-of-way line of Interstate Highway Number 69, and East of the following described real estate:

That portion of the North Half of the Northwest Quarter of Section 22, Township 31 North, Range 12 East, in Allen County, State of Indiana, lying East of the

right-of-way of the Indiana Service Company, now the Indiana-Michigan Electric Company, described as follows, to-wit:

Commencing at the point of intersection of the East line of said right-of-way with the North line of said Quarter Section, thence running East on the aforementioned line 396 feet; thence South and parallel to the right-of-way line aforesaid a distance of 1021.4 feet to the North right-of-way line of Interstate Highway Number 69, thence West along the North right-of-way line of said Intersate Highway Number 69 a distance of 396 feet to the intersection thereof with the East right-of-way line of the Indiana-Michigan Electric Company; thence North on the said East right-of-way line a distance of 1020.3 feet to the place of beginning.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Eisbart, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-09-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. R-80-01-19

RESOLUTION NO. R-11-80

A RESOLUTION approving a proposed Housing Assistance project of the Fort Wayne Housing Authority

WHEREAS, the Housing Authority of the City of Fort Wayne, Indiana, a separate public body corporate and politic, created and existing under Indiana state statute and activated by resolution of this body pursuant to the provisions of such statute, proposes to apply to the United States Department of Housing and Urban Development for Section 8, United States Housing Act of 1947, as amended, Housing Assistance Payments Program funds (Moderate Rehabilitation Program), to be used to provide rental assistance to eligible families and elderly persons in the City of Fort Wayne, as follows:

1. Section 8. Existing Housing

a.	Elderly units	24
b.	Family units	17
c.	Large family units	11
	Total	52

1. Moderate Rehabilitation:

a.	Elderly and handicapped	52
b.	Family units	36

c. Large family units	29
Total	117
Total, All Units	169

which, when added to the 802 rental assistance units presently authorized, will make a total of 971 such units in the city; and,

WHEREAS, said state statute requires the Housing Authority to obtain the approval of this body as its activating agency before initiating such Rental Assistance Payments Project; and,

WHEREAS, it is the sense of this body that such program proposed by the Housing Authority will be of benefit to many deserving Fort Wayne citizens and to the community as a whole.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the aforesaid proposed Housing Assistance Payments Project of the Housing Authority of the City of Fort Wayne, Indiana, be and the same is hereby approved.

SECTION 2. That this Resolution shall be effective upon passage and approval by the Mayor.

Ben A. Eisbart
Councilman

Read the third time in full and on motion by Eisbart, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resoution No. R-11-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. S-80-01-05

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving Change Order No. 1. - Imp. Res. No. 5831-79, Hobson-Lake Avenue have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Samuel J. Talarico
Paul M. Burns
John Nuckols
Mark E. GiaQuinta
Roy J. Schomburg

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-05

SPECIAL ORDINANCE NO. S-05-80

AN ORDINANCE approving Change Order No. 1
Imp. Res. No. 5831-79. Hobson -Lake Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 - Imp. Res. No. 5831-79, Hobson-Lake Avenue for:

additional materials and labor for changing
the profile grade of Lake Avenue to force
drainage north on Hobson Road rather that
through the intersection,

in the amount of $4,293.35, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt,
V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-05-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman — Vivian G. Schmidt
City Clerk — Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. S-80-01-06 (as amended)

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving Change Order No. 1 Sewer Res. 304-78 - Covington-Ardmore San. Sewer have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS (as amended)

Paul M. Burns
Ben A. Eisbart
John Nuckols
Mark E. GiaQuinta
Roy J. Schomburg

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-06 AS AMENDED)

SPECIAL ORDINANCE NO. S-06-80

AN ORDINANCE approving Change Order No. 1, Sewer Res. 304-78 - Covington-Ardmore San. Sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 - Sewer Res. 304-78 - Covington-Ardmore San. Sewer, for:

additional base stabilization due to unsuitable ground condition

in the amount of $10,300.00, to be paid out of city utility funds as set out in the specifications is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-06-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. S-80-01-07

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving City Utilities Purchase Orders Numbered 1630 and 1631 to Hefner Chevrolet, Inc. for vehicles for Meter Reading Department and Customer Service Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Ben A. Eisbart
John Nuckols
Mark E. GiaQuinta
Roy J. Schomburg

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-07

SPECIAL ORDINANCE NO. S-07-80

AN ORDINANCE approving City Utilities Purchase Orders Numbered 1630 and 1631 Hefner Chevrolet, Inc. for vehicles for Meter Reading Department and Customer Services Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That City Utilities Purchase Orders Numbered 1630 and 1631, dated December 19, 1979, between the City of Fort Wayne, by and through the City Utilities Purchasing Agent and the Board of Public Works and Hefner Chevrolet, Inc., for:

One 1980 Chevrolet Chevette Scooter for use by Customer Service Department and one 1980 Chevrolet Chevette Scooter for use by Meter Reading Department

at a cost of $4,300.00 each, all as more particularly set forth in said Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, be and the same are in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be effective upon passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One Talarico
Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-07-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

BILL NO. S-80-01-08

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving Agreement for the Purchase of a Sanitary Sewer Line by the City of Fort Wayne from Leo-Cedarville Regional Sewer District have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS

Paul M. Burns
Ben A. Eisbart
John Nuckols
Mark E. GiaQuinta
Roy J. Schomburg

Concurred in 1-22-80

Charles W. Westerman
City Clerk

BILL NO. S-80-01-08

SPECIAL ORDINANCE NO. S-08-80

AN ORDINANCE approving Agreement for the Purchase of a Sanitary Sewer Line by the City of Fort Wayne from Leo-Cedarville Regional Sewer District

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Agreement for the Purchase of a Sanitary Sewer Line by and between Leo-Cedarville Regional Sewer District, seller, and the City of Fort Wayne, Indiana, buyer, for:

A part of Fractional Section 4, Township 31 north, Range 13 East, St. Joseph Township, Allen County, Indiana, being a strip of land 15 feet in width along the west side of and adjoining the following described line:

Beginning on the east line of real estate owned by Indiana & Michigan Electric Company, at a point located 1618.78 feet west and 2735 feet south of the northeast corner of said Section 4; thence continuing south on the property line a distance of 1050 feet more or less, to the low water line of the St. Joseph River and a strip of land 25 feet in width along the east side of and adjoining the following described line:

Beginning on the north line of said fractional Section 4 at a point 1618.78 feet west of the northeast corner thereof, thence south along the property line a distance of 2947.58 feet and a part of Lot 6 of Trease Estates Plat "A" situated in the Southwest Fractional Quarter Section 31, Township 32 North, Range 13 East, Cedar Creek Township, Allen County, Indiana, and described as follows:

25 feet in width along the easterly side of and and adjoining the following described line: Beginning on the south line of said Section 31 at a point 232.32 feet east of the intersection of said south line and the centerline of Old Leo Road (1618.78 feet west of the N.E. corner of Section 4, Township 31 North, Range 13 East) thence North parallel to the exisiting pipeline easement 69.4 feet, thence with a deflection left at 36° 50'30" a distance of 51.0 feet to the right of way of Old Leo Road and a line in and along the southeast right of way of the Old Leo Road in a northeasterly direction, a distance of 2138 feet.

of which the City of Fort Wayne shall pay $13,579.79 for said sewer line, all as more particularly set forth in said agreement, which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things, ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier
Nays: None
Absent: One
Talarico

Date: 1-22-80

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-08-80 on the 22nd day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1980, at the hour of 3:00 o'clock P.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its REgular Session, held on Tuesday the 22nd day of January, 1980 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 23rd day of January, 1980.

Charles W. Westerman
City Clerk

Minutes approved and signed in open council this 12th day of February, 1980.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

PROCEEDINGS OF THE COMMON COUNCIL
IN SPECIAL SESSION
TUESDAY, JANUARY 29, 1980

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening January 29, 1980, in Special Session. President Vivian G. Schmidt in the chair, and Charles W. Westerman Clerk, at the desk, present the following members nine viz:

Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier, Talarico

CALL, CONSENT AND WAIVER OF NOTICE OF A SPECIAL MEETING OF THE COMMON COUNCIL OF FORT WAYNE, INDIANA, TO BE HELD , TUESDAY, JANUARY 29, 1980 - 7:00 P.M., COMMON COUNCIL CHAMBERS ROOM 126

We, the undersigned, being members of the Common Council of the City of Fort Wayne, Indiana do hereby call a special meeting of said Council to be held on Tuesday, January 29, 1980 at 7:00 o'clock P.M.,E.S.T. and jointly and severally waive notice of the time, place and purpose of said meeting and consent that same be held on the aforesaid date for the purpose of regarding Bill No. G-80-01-25 - AN ORDINANCE approving a contract for feasibility study concerning acquisition, purchase and/or condemnation of presently operating Electric Utility System, for action and passage.

Vivian G. Schmidt

Ben A. Eisbart

Mark E. GiaQuinta

James S. Stier

John Nuckols

Roy J. Schomburg

DATED THIS: 22nd day of January, 1980

Charles W. Westerman
City Clerk

Made a matter of record 1-29-80 Charles W. Westerman
City Clerk

MOTION MADE REGARDING BILL NO. G-80-01-25

A motion was made by Stier, seconded by Eisbart, to hold a Special Session on Tuesday, January 29, 1980, 7:00 P.M., Room 126, Common Council Chambers, City-County Bldg. for Bill No. G-80-01-25 - AN ORDINANCE approving a contract for feasibility study concerning acquisition, purchase and/or condemnation of presently operating Electric Utility System.

Ayes: Six
Eisbart, GiaQuinta, V. Schmidt, Schomburg, Stier
Nays: Two
Burns, D. Schmidt
Absent: One
Talarico

Date: 1-22-80 Charles W. Westerman
City Clerk

Notice was served on the nine elected Councilmembers of the City of Fort Wayne. Copy of notice served is attached to the ordinance. The notice reads as follows:

NOTICE OF A SPECIAL MEETING OF THE
COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

TO: _____

You are hereby notified that the Common Council of the City of Fort Wayne, Indiana, will hold a special meeting on Tuesday, January 29, 1980, 7:00 o'clock P.M.,E.S.T., in the Council Chambers of Fort Wayne, Indiana, in Room 126, City-County Bldg., One Main St., Fort Wayne, Indiana. Said meeting shall be held for the purpose of consideration concerning passage of Bill No. G-80-01-25 -- AN ORDINANCE approving a contract for feasibility study concerning acquisition, purchase and/or condemnation of presently operating Electric Utility System.

DATED: January 24, 1980

Charles W. Westerman
Clerk of the Common Council of the
City of Fort Wayne, Indiana

BILL NO. G-80-01-25 (as amended)

REPORT OF THE COMMITTEE ON AD HOC
ELECTRIC UTILITY STUDY

We, your Committee on Ad Hoc Electric Utility Study to whom was referred an Ordinance Approving a contract for feasibility study concerning acquisition, purchase and/or condemnation of presently operating Electric Utility System have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS (AS AMENDED)

Vivian G. Schmidt
James S. Stier
Mark E. GiaQuinta

Concurred in 1-29-80 Charles S. Westerman
City Clerk

AMENDMENTS TO BILL NO. G-80-01-25

AMENDMENT #1

Donald Schmidt, moved seconded by Paul Burns.

That R. W. Beck & Associates be required to appraise existing plant and equipment of Indiana & Michigan Electric Company at its present market value less depreciation. This motion was voted down by a vote of 5 nays and 3 yeas and 1 abstention.

Ayes: Three
Burns, D. Schmidt, Schomburg
Nays: Five
Eisbart, GiaQuinta, V. Schmidt, Stier, Talarico
Abstained: One
Nuckols

AMENDMENT # 2

Donald Schmidt moved, seconded by Paul Burns.

That if the City of Fort Wayne decides to purchase or acquire the presently operating electric utility system, that R. W. Beck & Associates shall not be considered as consultants to said City of Fort Wayne, Indiana. This motion was passed with 6 yeas and 3 nays.

Ayes: Six
Burns, Eisbart, Nuckols, D. Schmidt, Schomburg, Talarico
Nays: Three
GiaQuinta, V. Schmidt, Stier

AMENDMENT #3

Donald Schmidt then moved, seconded by Ben Eisbart.

That the sensitivity analysis covering future litigation costs shall be included in the agreement for engineering services to be performed for the City of Fort Wayne, Indiana by R. W. Beck & Associates. This motion was passed by a vote of 6 yeas and 3 nays.

Ayes: Six
GiaQuinta, Nuckols, D. Schmidt, V. Schmidt,
Schomburg, Talarico
Nays: Three

AMENDMENT # 4

Mark GiaQuinta then moved seconded by John Nuckols.

That since it has been determined that there are several different methods, each with varying effects which could be used to appraise Indiana & Michigan Electric Company's existing plant and equipment, that the Common Council of the City of Fort Wayne, through its representative, together with a representative of R. W. Beck & Associates, shall arrive at a mutually acceptable method of appraisal; said methodology to be approved by majority vote of the Common Council of the City of Fort Wayne, Indiana. This motion was passed by a vote of 7 yeas and 2 nays.

Ayes: Seven
Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Talarico
Nays: Two
Burns, Stier

BILL NO. G-80-01-25 (AS AMENDED)

GENERAL ORDINANCE NO. G-02-80 (AS AMENDED)

AN ORDINANCE APPROVING A CONTRACT FOR FEASIBILITY STUDY CONCERNING ACQUISITION, PURCHASE AND/OR CONDEMNATION OF PRESENTLY OPERATING ELECTRIC UTILITY SYSTEM

WHEREAS, heretofore a petition has been filed with the Common Council pursuant to I C 8-1-2-99 et seq., requesting the Common Council of the City of Fort Wayne, Indiana to acquire, purchase and/or condemn the presently operating electric utility system in order in its place to establish, own and operate a municipally owned electric utility; and,

WHEREAS, said Common Council has heretofore received a legal opinion from the firm of Chapman and Cutler establishing the legality of said petition; and,

WHEREAS, pursuant to Resolution authorizing employment of a firm for a feasibility study concerning the City of Fort Wayne's acquisition of electric utility system, an ad hoc committee of said Common Council has chosen the firm of R. W. Beck and Associates, 6535 E. 82nd Street, Indianapolis, Indiana 46250 to conduct said feasibility study; and,

WHEREAS, R. W. Beck and Associates has submitted its proposed Agreement for engineering services which proposed Contract has been studied by said ad hoc committee of said Common Council.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the Common Council of the City of Fort Wayne, Indiana does hereby approve a certain Agreement for engineering services submitted to the City of Fort Wayne, Indiana on January 15, 1980 by said R.W. Beck and Associates subject to the following:

(a) If the referendum held in connection with the general election in the City of Fort Wayne, Indiana on May 6, 1980 results in approval of the City of Fort Wayne, Indiana's acquisition of the presently operating electric utility system, R. W. Beck and Associates shall not be considered as consultants to said City of Fort Wayne, Indiana;

(b) The sensitivity analysis covering future litigation costs shall be included in the Agreement for engineering services to be performed for the City of Fort Wayne, Indiana by R. W. Beck and Associates;

(c) Since there are several different methods used to appraise existing plant and equipment, the Common Council through its representative, together with a representative of R. W. Beck and Associates shall arrive at a mutually acceptable method of appraisal, said methodology to be approved by the Common Council of the City of Fort Wayne, Indiana and utilized in the appraisal of Indiana & Michigan Electric Company's existing plant and equipment;

(d) Subject to sub-paragraphs (a), (b), and (c) above the Common Council of the City of Fort Wayne, Indiana does authorize the Mayor of the City of Fort Wayne and the Clerk of the City of Fort Wayne, Indiana to sign and deliver contract to R. W. Beck and Associates.

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor of the City of Fort Wayne, Indiana.

Vivian G. Schmidt
Councilwoman

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by GiaQunita, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Eisbart, GiaQunita, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, D. Schmidt, Schomburg

Date: 1-29-89

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-02-80 on the 29th day of January, 1980.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Vivian G. Schmidt
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 31st day of January, 1980, at the hour of 10:30 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of January, 1980, at the hour of 11:00 o'clock A.M.,E.S.T.

Winfield C. Moses, Jr.
Mayor

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Special Session, held on Tuesday the 29th day of January, 1980 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 31st day of January, 1980.

Charles W. Westerman
City Clerk

Minutes approved and signed in open council this 12th day of February, 1980.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER